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EXAMINER	
BAUGH, APRIL L	

ART UNIT	PAPER NUMBER
2141	

DATE MAILED: 10/02/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/539,459	KING, ALLEN	
	Examiner	Art Unit	
	April L Baugh	2141	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☐ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-87 is/are pending in the application.

4a) Of the above claim(s) 1-53 is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 54-87 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other:

DETAILED ACTION

Response to Amendment

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn. Applicant's Reconsideration submission after final filed on August 15, 2003 has been entered.

2. Therefore claims 1-87 are now pending.

Response to Arguments

1. Applicant's arguments filed August 15, 2003 have been fully considered but they are not persuasive. The applicant argues that neither Nakashima et al. nor Giorgio et al. teaches report to said host system a change in said status when said change occurs or in absence of said change during a predetermined period following said request, report no change in said status, but not report lack of change of said status before said predetermined period lapses. However it is the examiner's opinion that Nakashima et al. teaches report to said host system a change in said status when said change occurs or in absence of said change during a predetermined period following said request (column 1, lines 38-62).

Nakashima et al. discloses, '...transmitting query messages at regular intervals to request them to send back their local administrative information, including device configuration, functional status, and statistics... this system, however, repeats such data collection at predetermined intervals, regardless of the presence of actual status changes in each individual ATM network device...in a trap-based network monitoring system each occurrence of status changes will propagate to the network monitoring station in the form of an information message, or trap'. The examiner's position is that Nakashima et al. discloses periodic request for status

information and that the system responds with status information periodically regardless of a change in status and during a trap an information change is reported immediately regardless of whether the period of time for response is complete.

2. Applicant's arguments with respect to claims 54-87 in reference to US Patent No. 5,774,045 to Cox et al. have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 54-56, 62-64, 76, and 85 rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,470,385 to Nakashima et al. in view of Giorgio et al. and further in view of Cox et al.

Regarding claim 54, Nakashima et al. teaches a method for communicating to a host system a change in status of a subsystem coupled to said host system (column 1, lines 9-10 and 23-25 of Nakashima et al.).

Nakashima et al. does not teach a request sent from a host system. Giorgio et al. teaches said method comprising the steps of: said subsystem receiving a request by said host system to monitor a status of said subsystem (column 2, lines 56-58 of Giorgio et al.). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to

modify the network monitoring system of Nakashima et al. by said subsystem receiving a request by said host system to monitor a status of said subsystem because a request is needed to initiate the monitoring of the system.

Nakashima et al. in view of Giorgio et al. does not teach reporting to said host system a change in said status when a minimum numerical amount of said change occurs. Cox et al. teaches report to said host system a change in said status when a minimum numerical amount of said change occurs, but not report a change when no change occurs or less than said minimum numerical amount of change occurs, said request specifying said minimum numerical amount of said change; and in response to the receiving step, said subsystem monitoring status of said subsystem, and if said minimum numerical amount of said change subsequently occurs in said status, said subsystem reporting said change to said host system, but not reporting a change to said host system when no change occurs or less than said minimum numerical amount of change occurs (column 2, lines 30-48 and 54-64 of Cox et al.). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the network monitoring system of Nakashima et al. in view of Giorgio et al. by reporting to said host system a change in said status when a minimum numerical amount of said change occurs because this limits the amount of responses thus reducing the amount of traffic in the system.

Regarding claims 55 and 63, Nakashima et al. in view of Giorgio et al. teaches a method as set forth in claim 54 and 62 (column 1, lines 9-10 and 23-25 of Nakashima et al.).

Nakashima et al. in view of Giorgio et al. does not teach minimum numerical amount of said change occurs. Cox et al. teaches wherein before said minimum numerical amount of said change occurs, said subsystem does not report said status of said subsystem to said host system

(column 2, lines 30-48 and 54-64 of Cox et al.). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the network monitoring system of Nakashima et al. in view of Giorgio et al. by wherein before said minimum numerical amount of said change occurs, said subsystem does not report said status of said subsystem to said host system because this limits the amount of responses thus reducing the amount of traffic in the system.

Regarding claim 62, Nakashima et al. teaches a computer system comprising a host system and subsystem coupled to said host system (column 12, lines 39-41 of Nakashima et al.). said computer system comprising: first programming in said host system to monitor a status of said subsystem (column 1, lines 9-10 and 23-25 of Nakashima et al.).

Nakashima et al. does not teach a request sent from a host system. Giorgio et al. teaches said computer system comprising: first programming in said host system to generate and send a request to said subsystem (column 2, lines 56-58 of Giorgio et al.). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the network monitoring system of Nakashima et al. by said subsystem receiving a request by said host system to monitor a status of said subsystem because a request is needed to initiate the monitoring of the system.

Nakashima et al. in view of Giorgio et al. does not teach reporting to said host system a change in said status when a minimum numerical amount of said change occurs. Cox et al. teaches and report to said host system a change in said status when a minimum numerical amount of said change occurs, but not report a change when no change occurs or less than said minimum numerical amount of change occurs, said request specifying said minimum numerical

amount of said change; second programming in said subsystem to respond to said request by monitoring status of said subsystem, and if said minimum numerical amount of said change subsequently occurs, reporting said change to said host system, but not reporting a change to said host system when no change occurs or less than said minimum numerical amount of change occurs (column 2, lines 30-48 and 54-64 of Cox et al.). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the network monitoring system of Nakashima et al. in view of Giorgio et al. by reporting to said host system a change in said status when a minimum numerical amount of said change occurs because this limits the amount of responses thus reducing the amount of traffic in the system.

Regarding claims 76 and 85, Nakashima et al. in view of Giorgio et al. teaches a method as set forth in claim 70 and 79 (column 1, lines 9-10 and 23-25 of Nakashima et al.).

Nakashima et al. in view of Giorgio et al. does not teach minimum numerical amount of said change occurs. Cox et al. teaches wherein said host system qualifies said request to report a change in status of said subsystem only when there is a minimum numerical amount of change of status parameter, and said request specifies said status parameter and said minimum numerical amount of change (column 2, lines 30-48 and 54-64 of Cox et al.). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the network monitoring system of Nakashima et al. in view of Giorgio et al. by wherein said host system qualifies said request to report a change in status of said subsystem only when there is a minimum numerical amount of change of status parameter, and said request specifies said status parameter and said minimum numerical amount of change because this limits the amount of responses thus reducing the amount of traffic in the system.

Regarding claims 56 and 64, Nakashima et al. teaches a method as set forth in claim 54 and 62 wherein said status of said subsystem includes status of a component coupled to said subsystem (column 1, lines 9-10 and 23-25 and Fig.1 of Nakashima et al.).

5. Claims 57-61 and 65-69 rejected under 35 U.S.C. 103(a) as being unpatentable over Nakashima et al. in view of Giorgio et al. and further in view of Cox et al. as applied to claims 54-56, 62-64, 76, and 85 above, and further in view of Erickson et al.

Regarding claims 57 and 65, Nakashima et al. in view of Giorgio et al. and further in view of Cox et al. teaches a method as set forth in claim 54 and 62 (column 1, lines 9-10 and 23-25 of Nakashima et al.).

Nakashima et al. in view of Giorgio et al. and further in view of Cox et al. does not teach status of a device, component or board slot within said subsystem. Erickson teaches wherein said status of said subsystem comprises status of a device, component or board slot within said subsystem (column 1, lines 30-32 of Erickson et al.). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the network monitoring system of Nakashima et al. in view of Giorgio et al. and further in view of Cox et al. by said status of said subsystem comprises status of a device, component or board slot within said subsystem because devices internal and external to the subsystem may require monitoring.

Referring to claims 58 and 66, Nakashima et al. in view of Giorgio et al. and further in view of Cox et al. teaches a method as set forth in claim 54 and 62 (column 1, lines 9-10 and 23-25 of Nakashima et al.).

Nakashima et al. in view of Giorgio et al. and further in view of Cox et al. does not teach of establishing and terminating a communication link. Erickson et al. teaches further comprising

the steps of: before the receiving step, establishing a communication link between said host system and said subsystem; after the receiving step but before the reporting step, terminating said communication link; and after the terminating step but before said reporting step, establishing a communication link between said host system and said subsystem for said reporting (column 1, lines 23-26 and 35-40 and 45-48 of Erickson et al.). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the network monitoring system of Nakashima et al. in view of Giorgio et al. and further in view of Cox et al. by establishing a communication link between said host system and said subsystem; after the receiving step but before the reporting step, terminating said communication link; and after the terminating step but before said reporting step, establishing a communication link between said host system and said subsystem for said reporting because a SCSI communication link requires termination and due to the limited amount of connections allowed at one time this allows the communication link the ability to link with various devices.

Regarding claims 59 and 67, Nakashima et al. in view of Giorgio et al. and further in view of Cox et al. teaches a method as set forth in claim 58 and 66 (column 1, lines 9-10 and 23-25 of Nakashima et al.).

Nakashima et al. in view of Giorgio et al. and further in view of Cox et al. does not teach said communication links comprises SCSI commands and protocol. Erickson et al. teaches wherein each of said communication links comprises SCSI commands and protocol (column 1, lines 10-11 and column 2, lines 47-50 of Erickson et al.). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the network monitoring system of Nakashima et al. in view of Giorgio et al. and further in view of Cox et al.

by having said communication links comprises SCSI commands and protocol because SCSI commands control the connection and termination of the link.

Referring to claims 60 and 68, Nakashima et al. in view of Giorgio et al. and further in view of Cox et al. teaches a method as set forth in claims 54 and 62 (column 1, lines 9-10 and 23-25 of Nakashima et al.).

Nakashima et al. in view of Giorgio et al. and further in view of Cox et al. does not teach wherein said subsystem comprises a SAF-TE enclosure. Erickson et al. teaches wherein said subsystem comprises a SAF-TE enclosure, and said status of said subsystem pertains to said SAF-TE enclosure (column 2, lines 47-50 and 63-66 of Erickson et al.). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the network monitoring system of Nakashima et al. in view of Giorgio et al. and further in view of Cox et al. by having said subsystem comprises a SAF-TE enclosure because there is a high correlation of environmental conditions from device to device and one common protocol with SCSI bus is SAF-TE.

Regarding claims 61 and 69, Nakashima et al. in view of Giorgio et al. and further in view of Cox et al. teaches a method as set forth in claim 54 and 62 and programming to support periodic polls made by said host system for status of said subsystem, and further comprising the step of said subsystem receiving periodic polls made by said host system, and said subsystem responding to said periodic polls by promptly reporting status of said subsystem for each of said polls, whether or not said status has changed (column 1, lines 42-46 and 52-54 of Nakashima et al.).

Nakashima et al. in view of Giorgio et al. and further in view of Cox et al. does note teach said subsystem comprises a SAF-TE enclosure. Erickson et al. teaches wherein said subsystem comprises a SAF-TE enclosure (column 2, lines 47-50 and 63-66 of Erickson et al.). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the network monitoring system of Nakashima et al. in view of Giorgio et al. and further in view of Cox et al. by having said subsystem comprises a SAF-TE enclosure because there is a high correlation of environmental conditions from device to device and one common protocol with SCSI bus is SAF-TE.

6. Claims 70, 71, 78, 79, 80, and 87 rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,470,385 to Nakashima et al. in view Giorgio et al.

Regarding claim 70, Nakashima et al. teaches a method for communicating to a host system a change in status of a subsystem coupled to said host system (column 1, lines 9-10 and 23-25 of Nakashima et al.), said method comprising the steps of: to monitor a status of said subsystem and report to said host system a change in said status when said change occurs or in absence of said change during a predetermined period following said request, report no change in said status, but not report lack of change of said status before said predetermined period lapses (column 1, lines 42-46 and 52-54 of Nakashima et al.); in response to the receiving step, said subsystem monitoring status of said subsystem, and if a change occurs in said status before said predetermined period lapses, said subsystem reporting said change in status to said host system, and wherein before said change occurs, said subsystem not reporting said status of said subsystem to said host system; and if a change does not occur in said status before said

predetermined period lapses, said subsystem reporting no change in said status to said host system upon lapse of said predetermined period (column 1, lines 59-62 of Nakashima et al.).

Nakashima et al. does not teach a request sent from a host system. Giorgio et al. teaches said subsystem receiving a request by said host system (column 2, lines 56-58 of Giorgio et al.). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the network monitoring system of Nakashima et al. by said subsystem receiving a request by said host system to monitor a status of said subsystem because a request is needed to initiate the monitoring of the system.

Regarding claim 79, Nakashima et al. teaches a computer system comprising a host system and subsystem coupled to said host system (column 12, lines 39-41 of Nakashima et al.), said computer system comprising: first programming in said host system to generate and send a request to said subsystem (column 2, lines 56-58 of Giorgio et al.) to monitor a status of said subsystem (column 1, lines 9-10 and 23-25 of Nakashima et al.) and report to said host system a change in said status when said change occurs or in absence of said change during a predetermined period following said request, report no change in said status, but not report lack of change of said status before said predetermined period lapses (column 1, lines 42-46 and 52-54 of Nakashima et al.); second programming in said subsystem, responsive to said request, to monitor status of said subsystem, and if a change subsequently occurs in said status before said predetermined period lapses, reporting said change in status to said host system, and wherein before said change occurs, said second programming does not report said status of said subsystem to said host system; and if a change does not subsequently occur in said status before

said predetermined period lapses, said second programming reporting said status to said host system upon lapse of said predetermined period (column 1, lines 59-62 of Nakashima et al.).

Nakashima et al. does not teach a request sent from a host system. Giorgio et al. teaches to generate and send a request to said subsystem (column 2, lines 56-58 of Giorgio et al.). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the network monitoring system of Nakashima et al. by said subsystem receiving a request by said host system to monitor a status of said subsystem because a request is needed to initiate the monitoring of the system.

Regarding claims 71 and 80, Nakashima et al. teaches a method as set forth in claim 70 and 79 wherein said status of said subsystem includes status of a component coupled to said subsystem (column 1, lines 9-10 and 23-25 and Fig.1 of Nakashima et al.).

Regarding claims 78 and 87, Nakashima et al. teaches a method as set forth in claim 70 and 79 wherein said host computer specifies said predetermined period in said request (column 1, lines 51-54 of Nakashima et al.).

7. Claims 72-75, 77, 81-84, and 86 rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,470,385 to Nakashima et al. in view Giorgio et al. as applied to claims 70, 71, 78, 79, 80, and 87 above, and further in view of Erickson et al.

Regarding claims 72 and 81, Nakashima et al. in view of Giorgio et al. teaches a method as set forth in claim 70 and 79 (column 1, lines 9-10 and 23-25 of Nakashima et al.).

Nakashima et al. in view of Giorgio et al. does not teach status of a device, component or board slot within said subsystem. Erickson teaches wherein said status of said subsystem comprises status of a device, component or board slot within said subsystem (column 1, lines 30-

32 of Erickson et al.). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the network monitoring system of Nakashima et al. in view of Giorgio et al. by said status of said subsystem comprises status of a device, component or board slot within said subsystem because devices internal and external to the subsystem may require monitoring.

Referring to claims 73 and 82, Nakashima et al. in view of Giorgio et al. teaches a method as set forth in claim 70 and 79 (column 1, lines 9-10 and 23-25 of Nakashima et al.).

Nakashima et al. in view of Giorgio et al. does not teach of establishing and terminating a communication link. Erickson et al. teaches further comprising the steps of: before the receiving step, establishing a communication link between said host system and said subsystem; after the receiving step but before the reporting step, terminating said communication link; and after the terminating step but before said reporting step, establishing a communication link between said host system and said subsystem for said reporting (column 1, lines 23-26 and 35-40 and 45-48 of Erickson et al.). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the network monitoring system of Nakashima et al. in view of Giorgio et al. by establishing a communication link between said host system and said subsystem; after the receiving step but before the reporting step, terminating said communication link; and after the terminating step but before said reporting step, establishing a communication link between said host system and said subsystem for said reporting because a SCSI communication link requires termination and due to the limited amount of connections allowed at one time this allows the communication link the ability to link with various devices.

Regarding claims 74 and 83, Nakashima et al. in view of Giorgio et al. teaches a method as set forth in claim 73 and 82 (column 1, lines 9-10 and 23-25 of Nakashima et al.).

Nakashima et al. in view of Giorgio et al. does not teach said communication links comprises SCSI commands and protocol. Erickson et al. teaches wherein each of said communication links comprises SCSI commands and protocol (column 1, lines 10-11 and column 2, lines 47-50 of Erickson et al.). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the network monitoring system of Nakashima et al. in view of Giorgio et al. by having said communication links comprises SCSI commands and protocol because SCSI commands control the connection and termination of the link.

Referring to claims 75 and 84, Nakashima et al. in view of Giorgio et al. teaches a method as set forth in claims 70 and 79 (column 1, lines 9-10 and 23-25 of Nakashima et al.).

Nakashima et al. in view of Giorgio et al. does not teach wherein said subsystem comprises a SAF-TE enclosure. Erickson et al. teaches wherein said subsystem comprises a SAF-TE enclosure, and said status of said subsystem pertains to said SAF-TE enclosure (column 2, lines 47-50 and 63-66 of Erickson et al.). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the network monitoring system of Nakashima et al. in view of Giorgio et al. by having said subsystem comprises a SAF-TE enclosure because there is a high correlation of environmental conditions from device to device and one common protocol with SCSI bus is SAF-TE.

Regarding claims 77 and 86, Nakashima et al. in view of Giorgio et al. teaches a method as set forth in claim 70 and 79 and programming to support periodic polls made by said host

system for status of said subsystem, and further comprising the step of said subsystem receiving periodic polls made by said host system, and said subsystem responding to said periodic polls by promptly reporting status of said subsystem for each of said polls, whether or not said status has changed (column 1, lines 42-46 and 52-54 of Nakashima et al.).

Nakashima et al. in view of Giorgio et al. does note teach said subsystem comprises a SAF-TE enclosure. Erickson et al. teaches wherein said subsystem comprises a SAF-TE enclosure (column 2, lines 47-50 and 63-66 of Erickson et al.). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the network monitoring system of Nakashima et al. in view of Giorgio et al. by having said subsystem comprises a SAF-TE enclosure because there is a high correlation of environmental conditions from device to device and one common protocol with SCSI bus is SAF-TE.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to April L Baugh whose telephone number is 703-305-5317. The examiner can normally be reached on Monday-Friday 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal D Dharia can be reached on 703-305-4003. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

ALB

RUPAL DHARIA
SUPERVISORY PATENT EXAMINER